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10 *Attorneys for Plaintiffs*

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12 **UNITED STATES DISTRICT COURT**  
13 **NORTHERN DISTRICT OF CALIFORNIA**  
14 **SAN FRANCISCO DIVISION**

15 UNITED STATES OF AMERICA, STATES  
OF CALIFORNIA, COLORADO,  
16 CONNECTICUT, DELAWARE, FLORIDA,  
GEORGIA, HAWAII, ILLINOIS, INDIANA,  
17 IOWA, LOUISIANA, MICHIGAN,  
MINNESOTA, MONTANA, NEVADA, NEW  
JERSEY, NEW MEXICO, NEW YORK,  
18 NORTH CAROLINA, OKLAHOMA, RHODE  
ISLAND, TENNESSEE, TEXAS, VERMONT,  
19 AND WASHINGTON; THE  
COMMONWEALTHS OF  
20 MASSACHUSETTS AND VIRGINIA; and  
THE DISTRICT OF COLUMBIA,

21 *ex rel.* ZACHARY SILBERSHER,

22 Plaintiffs,

23 vs.

24 JANSSEN BIOTECH, INC., JANSSEN  
25 ONCOLOGY, INC., JANSSEN RESEARCH &  
DEVELOPMENT, LLC, and JOHNSON &  
26 JOHNSON,

27 Defendants.  
28

Case No.: 4:17-cv-07250-JST

**STIPULATION AND [PROPOSED] ORDER  
RESCHEDULING HEARING ON  
DEFENDANTS' MOTION TO TRANSFER  
VENUE UNDER 28 U.S.C. § 1404(a)**

1 WHEREAS, on February 12, 2019, Defendants filed a motion to transfer venue under 28  
2 U.S.C. § 1404(a) in this action (the “Motion”) (Dkt. 30);

3 WHEREAS, Defendants noticed the Motion to be heard on April 4, 2019 at 2:00 p.m.; and

4 WHEREAS, the parties stipulate to reschedule the hearing on the Motion to April 18, 2019,  
5 at 2:00 p.m., to accommodate a pre-existing conflict for Plaintiff-Relator’s counsel, who will be out  
6 of town traveling during the originally-noticed hearing date;

7 WHEREAS, Plaintiff-Relator has not obtained any previous time modifications for the  
8 Motion, and the parties have only once previously stipulated to extend Defendants’ time to answer or  
9 otherwise respond to the complaint and set a mutually convenient briefing schedule; and

10 WHEREAS, the requested order changing time for the hearing will not materially affect the  
11 schedule for the case;

12 NOW THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between  
13 Plaintiff-Relator and Defendants, as represented by their undersigned counsel, that the hearing date  
14 on the Motion should be rescheduled to April 18, 2019, at 2:00 p.m.

15 Dated: February 26, 2019

16 By: /s/Nicomedes Sy Herrera  
17 Nicomedes Sy Herrera (State Bar No. 275332)  
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24 *Attorneys for Plaintiff-Relator*  
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1 Dated: February 26, 2019

By: /s/ Michael J. Bettinger

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*Attorneys for Defendants*

*JANSSEN BIOTECH, INC.,*

*JANSSEN ONCOLOGY, INC.,*

*JANSSEN RESEARCH & DEVELOPMENT,*

*LLC, and JOHNSON & JOHNSON*

**SIGNATURE ATTESTATION**

Pursuant to Local Rule 5-1(i)(3), I attest under penalty of perjury that concurrence in the filing of this document has been obtained from the other signatories above.

February 26, 2019

By: /s/ Nicomedes Sy Herrera  
Nicomedes Sy Herrera

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AND WASHINGTON; THE  
COMMONWEALTHS OF  
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Plaintiffs,

vs.

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ONCOLOGY, INC., JANSSEN RESEARCH &  
DEVELOPMENT, LLC, and JOHNSON &  
JOHNSON,

Defendants.

Case No.: 4:17-cv-07250-JST

**[PROPOSED] ORDER FOR EXTENSION OF  
TIME TO RESPOND TO AMENDED  
COMPLAINT**

1 The Court, having reviewed the Stipulation for Extension of Time to Respond to Amended  
2 Complaint, and good cause appearing therefor, **HEREBY MAKES THE FOLLOWING ORDER:**

3 The hearing for Defendants' motion to transfer venue under 28 U.S.C. § 1404(a) (Dkt. 30)  
4 shall be rescheduled to April 18, 2019, at 2:00 p.m.

5 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

6  
7 Date: \_\_\_\_\_

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8 Hon. Jon S. Tigar  
9 United States District Judge  
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